

SENATE BILL 2936
By Kyle

AN ACT to enact "The Information Network of Tennessee Act of 1996" and to amendBE IT
ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. This act may be known and cited as the "Information Network of
Tennessee Act of 1996".

SECTION 2. As used in this act:

(1) "Agency" means any agency or instrumentality of the state of Tennessee
which stores, gathers, or generates public information;

(2) "Gateway system" means any centralized electronic information system by
which public information shall be provided via dial-in modem or continuous link to the
public through subscription or through public libraries;

(3) "Information Network of Tennessee", or "I.N.T.", means the public
instrumentality created in Section 3, or if abolished, the board, body, or commission
succeeding to the principal functions thereof or to whom the powers given by this act to
the Information Network of Tennessee shall be given by law;

(4) "Network manager" means the entity or person engaged to manage and run
the gateway system on behalf of the Information Network of Tennessee;

(5) "Public information" means any information stored, gathered, or generated in
electronic or magnetic form by the state of Tennessee, its agencies or instrumentalities,

which is included within the information deemed to be public pursuant to the Public Records Law, codified in Tennessee Code Annotated, Title 10, Chapter 7; and

(6) "User association" means an association:

(A) whose membership is identifiable by regular payment of association dues and regularly maintained membership lists;

(B) which is registered with the secretary of state as a Tennessee corporation;

(C) which exists for the purpose of advancing the common occupation or profession of its membership; and

(D) which, after the appointment of the initial board of the Information Network of Tennessee, regularly promotes and encourages the subscription of its members to the gateway system developed by the Information Network of Tennessee.

SECTION 3.

(a) There is created the Information Network of Tennessee, a public instrumentality carrying out an essential government function, which shall be governed by a board consisting of seven (7) ex officio members who shall be the governor, the secretary of state, the comptroller of the treasury, the state treasurer, the commissioner of finance and administration, the speakers of the senate and the house of representatives.

(b) The board shall annually elect one (1) member from the board as chairperson of the board. The board may also elect a vice-chairperson and a secretary.

(c) Four (4) members of the board shall constitute a quorum and the affirmative vote of four (4) members shall be necessary for any action taken by the board. No vacancy in the membership of the board shall impair the right of a quorum to exercise all

the rights and perform all the duties of the board. Members of the board shall serve without compensation.

(d) The board shall meet at least semi-annually.

SECTION 4.

(a) The Information Network of Tennessee shall have the following duties:

(1) to develop and implement a dial-in gateway system to provide electronic access to members of the public to public information;

(2) to provide appropriate oversight of any network manager;

(3) to establish charges for the services provided to gateway system subscribers;

(4) to explore ways of expanding the amount and kind of public information provided, increasing the utility and form of the public information provided and, where appropriate, implementing such changes;

(5) to explore ways of improving citizen and business access to public information, expanding the base of users who access public information and, where appropriate, implementing such changes;

(6) to explore ways of expanding a gateway system and its services to citizens and businesses by providing add-on services to subscribers, such as, access to other for-profit information data bases, electronic mail and calendaring;

(7) to serve in an advisory capacity to the department of finance and administration, and other state agencies regarding the provision of state data to the citizens and businesses of Tennessee;

(8) to seek advice from the general public, its subscribers, professional associations, academic groups, and institutions and individuals with knowledge or interest in computer networking, electronic mail, public information access, gateway services, add-on services and electronic filing of information; and

(9) to accept gifts, donations, and grants for the support of a gateway system in Tennessee.

(b) All state agencies shall cooperate with the Information Network of Tennessee in providing assistance as may be requested for the achievement of its purpose.

Services and information to be provided by any agency shall be specified pursuant to contract between the Information Network of Tennessee and such agency. Agencies may contract to recover from the Information Network of Tennessee costs incurred by providing such assistance to the Information Network of Tennessee.

SECTION 5.

(a) The Information Network of Tennessee shall hire a network manager and shall use a competitive bid process after developing criteria and specifications for such a network manager and his/her duties. The Information Network of Tennessee may negotiate and enter into a contract with the network manager. The contract shall specify the duties, responsibilities, and compensation of the network manager, and shall also include any other terms necessary to the agreement.

(b) The network manager shall:

(1) direct and supervise the day-to-day operations and expansion of the gateway system, including the initial phase of operations necessary to make such gateway system operational;

(2) attend meetings of the Information Network of Tennessee;

(3) keep a record of all gateway, network, and related operations of the Information Network of Tennessee, which records shall be the property of the Information Network of Tennessee;

(4) maintain and be a custodian of all financial and operational records, documents, and papers filed with the Information Network of Tennessee;

(5) update and revise on a yearly basis the business plan of the Information Network of Tennessee, in consultation with and under the direction of the Information Network of Tennessee; and

(6) submit to the Information Network of Tennessee quarterly financial reports, an annual audit, an annual report, and any other information requested by the board.

SECTION 6. Tennessee Code Annotated, Section 4-29-219(a), is amended by adding the following new subdivision:

() Information Network of Tennessee, created by Section 3 of this act.

SECTION 7. This act shall take effect upon becoming a law, the public welfare requiring it.